C.J.'s Court

Writ Petition No. 1066 (S/B) of 2002

Phool Singh	……..	Petitioner
	Versus	
Union of India and others	……..	Respondents

Hon. A.A. Desai, C.J.
Hon. M.M. Ghildiyal,J.

Sri Alok Singh, learned counsel for the petitioner and Sri Rakesh Thapaliyal, learned counsel for the respondent.

It is reported that the Consumer Court imposed a penalty on postal department for their certain lapses in the delivery of speed post parcels. The department in turn saddled the liability on the petitioner and directed to cause recovery of Rs. 12,000/- as imposed by Consumer Forum from the Leave Encashment of the petitioner, who has retired in postal service.

Heard Sri Alok Singh, learned counsel for the petitioner. Ultimately, he has confined his relief only to the ground that before causing the recovery, no notice or show cause was given to the petitioner. No inquiry was held. In this behalf he made his representations dated 08.03.2002 and 06.06.2002 contained in Annexure 13 and 16 respectively, to the writ petition. The representations are pending and have not been decided by the authorities. In view of this relief as claimed, we direct the respondent authorities to decide the representations of the petitioner as made within a period of six weeks from today.

The petition is disposed of accordingly.

(M.M. Ghildiyal, J.) **(A.A. Desai, C.J.)**

Dt. 20.11.2002
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